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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE L. JAMES LORENZ)

UNITED STATES OF AMERICA,	)	Case No. 08CR0091-L
)	
Plaintiff,	)	DATE: June 9, 2008
	)	TIME: 10:00 a.m.
v.)	
	)	NOTICE OF MOTIONS IN LIMINE AND
ISAAC NAVARRO-LOMELI,	)	MOTINS IN LIMINE:
)	
Defendant.	)	1) EXCLUDE EXPERT TESTIMONY ON THE
	)	STREET VALUE OF MARIJUANA;
	)	2) EXCLUDE EXPERT TESTIMONY ABOUT
	)	THE STRUCTURE OF DRUG
	)	ORGANIZATIONS;
	)	3) EXCLUDE EVIDENCE OF ALLEGED
	)	“NERVOUSNESS” BY DEFENDANT;
	)	4) EXCLUDE ACTUAL BAGS OF MARIJUANA
	)	FROM THE COURTROOM;
	)	5) PREVENT A COPY OF THE INDICTMENT
	)	FROM BEING SUBMITTED DURING
	)	DELIBERATIONS;
	)	6) EXCLUDE ANY 404(B) OR 609 EVIDENCE
	)	AS IMPROPER NOTICE HAS BEEN GIVEN;
	)	7) EXCLUDE EVIDENCE OF “MUG SHOT”
	)	PHOTOS;
	)	8) EXCLUDE POVERTY EVIDENCE;
	)	9) PROHIBIT VOUCHING BY PROSECUTION,
	)	AND
	)	10) ALLOW ATTORNEY-CONDUCTED VOIR
	)	DIRE.
	)	11) EXCLUDE MR. NAVARRO-LOMELI’S
	)	VIDEOTAPED STATEMENTS BECAUSE ITS
	)	ADMISSION VIOLATES THE
	)	CONFRONTATION CLAUSE AND INVADES
	)	THE PROVINCE OF THE JURY.
	)	12) PREVENT THE GOVERNMENT FROM
	)	PRESENTING FRAGMENTED PORTIONS OF
	)	MR. NAVARRO-LOMELI’S POST-ARREST
	)	STATEMENTS OUT OF CONTEXT

1 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY
 2 AARON B. CLARK, ASSISTANT UNITED STATES ATTORNEY

3 PLEASE TAKE NOTICE that on June 9, 2008 at 10:00 a.m. or as soon thereafter as counsel may
 4 be heard, Isaac Navarro-Lomeli, by and through counsel, Robert R. Henssler Jr., and Federal Defenders of
 5 San Diego, Inc., will ask this Court to enter an order granting the following motions in limine.

6 **MOTIONS**

7 Isaac Navarro-Lomeli, by and through counsel, Robert R. Henssler Jr., and Federal Defenders of San
 8 Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other
 9 applicable statutes, case law and local rules, hereby moves this Court for an order to:

- 10 1) Exclude Expert Testimony on the Street Value of Marijuana;
- 11 2) Exclude Expert Testimony about the Structure of Drug Organizations;
- 12 3) Exclude Evidence of Alleged "Nervousness" by Defendant;
- 13 4) Exclude Actual Bags of Marijuana from the Courtroom;
- 14 5) Prevent a Copy of the Indictment from Being Submitted During Deliberations;
- 15 6) Exclude Any 404(b) or 609 Evidence as Improper Notice Has Been Given;
- 16 7) Exclude Evidence of "Mug Shot" Photos;
- 17 8) Exclude Poverty Evidence;
- 18 9) Prohibit Vouching by Prosecution; and
- 19 10) Allow Attorney-conducted Voir Dire.
- 20 11) Exclude Mr. Navarro-Lomeli's Videotaped Statements Because its Admission Violates the
- 21 Confrontation Clause and Invades the Province of the Jury.
- 22 12) Prevent the Government from Presenting Fragmented Portions of Mr. Navarro-Lomeli's Post-
- 23 arrest Statements out of Context

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1 These motions are based upon the instant motions and notice of motions, the attached statement of
2 facts and memorandum of points and authorities, and all other materials that may come to this Court's
3 attention at the time of the hearing on these motions.

4 Respectfully submitted,

5 */s/ Robert R. Henssler, Jr.*

6 Dated: May 23, 2008

ROBERT R. HENSSLER JR.
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Navarro-Lomeli

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of his information and belief, and that a copy of the foregoing document has been served this day upon:

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Dated: May 29, 2008

/s/ Robert R. Henssler
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